

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Amit P. Acharya : Date: October 22, 2003

Serial Number: N/A : Group Art Unit: N/A

Filed: Herewith : Examiner: Unknown

Title: Method, System and Program  
Product for Analyzing a Scalability of an  
Application Server : IBM CORPORATION  
: IP Law - Dept. T81/Bldg. 503  
3039 Cornwallis Road  
: Research Triangle Park, NC 27709

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**INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR 1.97**

**Commissioner For Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

Dear Sir:

The attached Form PTO-1449, and any attached foreign patent office search report, provides a listing of information which may be relevant to the subject application. This IDS is not intended as a representation that better art is not available, nor that the information provided is prior art.

This IDS is submitted under:

X 37 CFR 1.97(b) - No Fee.

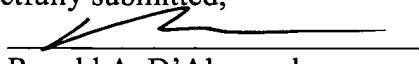
       37 CFR 1.97(c) - No Fee. Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application. This communication is dated \_\_\_\_\_, which is not more than 3 months prior to the mailing of this statement.

       37 CFR 1.97(c) - Fee.

       37 CFR 1.97(d) - Fee, Certification & Petition.

The Commissioner is authorized to charge payments of any associated fees required under 37 CFR 1.17(p) and (i) (1) to Deposit Account No. 09-0461 (IBM).

Respectfully submitted,  
By:

  
Ronald A. D'Alessandro  
Registration No. 42,456  
Telephone No.: (518) 449-0044

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<p>Substitute for form 1449A/PTO</p> <h1 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p style="text-align: center;"><i>(use as many sheets as necessary)</i></p>				<b><i>Complete if Known</i></b>	
				Application Number	
				Filing Date	
				First Named Inventor	Amit P. Acharya
				Art Unit	
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	RSW920030209US1

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Applicant's unique citation designation number (optional).** See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	
				Filing Date	
				First Named Inventor	Amit P. Acharya
				Group Art Unit	
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	RSW920030209US1
(use as many sheets as necessary)					

#### **OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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